

The subscriber being the Commissioner named in the annexed Commission hereby certifies  
that in execution of the powers thereby vested in me I did on the 10th day of February A.D.  
1864, assign and appoint Joseph W. Early, of Frederick County, Guardian to the infants named  
in the said Commission, and took the answer of the said infants by their said Guardian  
and under the oath of said Guardian by me administered to the petition in said Commission  
mentioned, which said answer with said Commission is herewith returned, closed under my  
hand and seal this 10th day of February A.D. 1864.

R. G. McPherson

The answer of Eli Jacob Hamilton, Julia Maria Hamilton, Anna Ann Hamilton and George  
ann Hamilton, infants under the age of barely one year, by Joseph W. L. Early, their Guardian  
to the petition of Michael W. Fout, next friend to in the Circuit Court for Frederick County  
sitting as a Court of Equity, exhibited. These defendants cannot admit any of the matters & things  
alleged in the said bill, and being infants of tender years submit their rights to the protection  
of this Court. ~

J. W. L. Early

On this 10th day of February A.D. 1864 the above named Joseph W. L. Early appeared before  
me, the Commissioner, and made oath that the matters and things stated in the foregoing an-  
swer, are true to the best of his knowledge and belief. ~

R. G. McPherson

Endorsed. ~ The execution of the within Commission will appear by  
the papers enclosed. ~

R. G. McPherson

*On Replication*  
The petition of Michael W. Fout  
next friend of Eli J. Hamilton and others

No 3144 Equity   
In the Circuit Court for Frederick County in Equity,  
J. W. L. Early Esq: Clerk.

Eli Jacob Hamilton and others

Enter a general replication to the answers of the infants  
in this cause. ~

Wm. J. & Charles Ross  
Sols. for Petitioners

*Order to issue  
Commission*  
The petition of Michael W. Fout next  
friend of Eli J. Hamilton and others

No 3144 Equity   
In the Circuit Court for Frederick County in Equity,  
J. W. L. Early Clerk ~

Eli Jacob Hamilton

Issue a commission to Robert Wilson and Wm. B.  
Nelson Esq: to take testimony in this cause on part of  
Wm. J. & Charles Ross.  
Sols. for Petitioners

*Commission*  
Maryland Set. ~

To the State of Maryland to William B. Nelson and Robert Wilson Esq: of Frederick County  
Meeting. Be it known, that you are appointed Commissioner to examine evidence in a  
cause depending in the Circuit Court for Frederick County as a Court of Equity, between Michael  
W. Fout, next friend of Eli Jacob Hamilton and others petitioners, and Eli Jacob Hamilton  
and others respondents, you are therefore required, having first taken the oaths hereinabove annexed,  
and also administered the annexed oath to the person whom you shall appoint as Clerk to attend  
the execution of this Commission, that at such time and place as to you shall seem convenient,  
you cause to come before you all such evidence as shall be named and produced to you by  
either the petitioners or respondents, and that you examine them on their corporate oaths, to God by  
you administered upon the Holy Evangelist of Almighty God, touching their knowledge or remem-  
berance of any thing that may relate to the cause aforesaid; and that you cause notice to be given  
to the parties or their attorneys, of the execution of the Commission, before you execute the same;  
and having reduced the depositions of the witness, so taken by you, into writing, you shall have done

*Testimony*